



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://cao.co.la.ca.us>

DAVID E. JANSSEN
Chief Administrative Officer

July 17, 2003

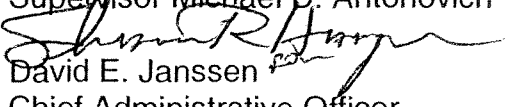
Board of Supervisors
GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich
From: 
David E. Janssen
Chief Administrative Officer

STATE LEGISLATIVE UPDATE

Pursuit of Position on Legislation

On July 8, 2003, the Assembly Committee on Business and Professions addressed competing approaches to strengthen State laws relative to unsolicited electronic mail (e-mail), known as "spam." By a vote of 13 to 0, the Committee passed SB 186 (Murray) with some amendments to more broadly define spam and its senders as reflected in provisions of **County-supported SB 12 (Bowen)**. SB 12 failed to obtain the sufficient seven votes to pass the Committee, but was granted reconsideration.

As amended on July 10, 2003 to reflect the Committee action, SB 186 defines unsolicited e-mail as instances where the recipient has not provided direct consent, and situations whereby a recipient does not have a "pre-existing or current business relationship." A pre-existing or current business relationship is defined as a situation in which the recipient has made an inquiry, application, purchase, or transaction, with or without consideration, regarding products or services offered by the sender. Where a business relationship exists, SB 186 would provide consumers the ability to opt out.

SB 186 would also 1) prohibit the initiating, sending, or advertising of unsolicited commercial e-mail, and 2) authorize a recipient, internet service provider, or the Attorney General to recover actual damages as well as liquidated damages of \$1,000

per e-mail and \$1 million per incident. If the court finds that the sender established and implemented procedures to reasonably prevent unsolicited e-mail, then liquidated damages would be reduced to a maximum of \$1,000 per e-mail and \$100,000 per incident.

Consistent with Board action of March 4, 2003 to support SB 12 to increase penalties related to unsolicited e-mail, our Sacramento Advocates will support SB 186.

Status of County-Interest Legislation

County-opposed unless amended AB 231 (Steinberg), which exempts one vehicle in determining eligibility for CalWORKs and Food Stamps, provides transitional food stamp benefits for CalWORKs participants moving from welfare to work, exempts the face-to-face interviews for food stamps in hardship cases, and repeals the requirement of statewide fingerprint imaging to determine CalWORKs and Food Stamps eligibility, was placed on the Senate Appropriations Suspense File on July 14, 2003. The County will continue to oppose AB 231, unless amended, to remove the provisions ending the use of statewide fingerprint imaging.

County-sponsored AB 1469 (Negrete-McLeod), which would authorize the court to grant a continuance not to exceed ten days if a report is not provided to the parties within a reasonable time before the dependency hearing, was placed on the Senate Inactive File on July 15, 2003.

County-supported AB 1716 (Human Services Committee), which would reinstate a mechanism temporarily used during the 1990s to restore base realignment funding for the caseload-driven portion of the Social Services Account in any year following a year in which revenues are not sufficient to fully fund the base, was placed on the Senate Appropriations Suspense File on July 14, 2003. This measure would allow for a one-time supplement of the base and would expire after the base is restored.

County-opposed SB 593 (Ackerman), which shifts responsibility for the assessment of personal property owned by commercial air operators from the County Assessor to the State Board of Equalization (BOE) beginning in FY 2005-06, and uses funding from the existing State-County Property Tax Administration Grant Program to provide the BOE with revenues to administer provisions of the bill, was placed on the Senate Appropriations Suspense File on July 14, 2003. This measure also changes the method for commercial aircraft valuation to an approach that is counter to the codified settlement agreement between airline companies and counties regarding the valuation of commercial aircraft.

Each Supervisor
July 10, 2003
Page 3

We will continue to keep you advised.

DEJ:GK
MAL:JF:EW:ib

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities